

REMARKS

Claims 1-13 are all the claims pending in the application.

Applicant notes that a number of editorial amendments have been made to the specification and abstract for grammatical and general readability purposes. No new matter has been added.

I. Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected claim 12 under 35 U.S.C. § 102(e) as being anticipated by Yamauchi et al. (U.S. 6,047,103).

Claim 12, as amended, recites the feature of data inspection means for receiving digital data, and for inspecting whether a bit rate of the digital data is higher than a maximum recording bit rate, thereby judging whether the digital data is recordable on a recording medium. Applicant submits that Yamauchi does not disclose or suggest at least this feature of amended claim 12.

Yamauchi discloses an information processing apparatus which operates so as to copy a file from an optical disk 41 to a recording section 44 (see col. 22, lines 27-28). In particular, Yamauchi discloses that when a controller 49 receive a request for copying a file, it judges whether the specified file is an AV data file by examining the name of a directory under which the specified file is stored (see col. 22, lines 28-32).

If the controller 49 judges that the specified file is an AV data file, it informs the user by an error message and terminates the process (see col. 22, lines 33-34). Conversely, if the controller 49 judges that the specified file is not an AV data file, it sends the data read I/O command to the AV signal processor 47 (see col. 22, lines 35-38). The AV signal processor 47

proceeds to send the data read I/O command to the disk reproduction drive 46 (see col. 22, lines 39-42).

After receiving the data read I/O command, the disk reproduction drive reads digital data from a specified address and judges whether the read data is AV data (see col. 22, lines 43-51). If it is judged that a data attribute of the read data is not AV data, the disk reproduction drive 46 transmits the data to the AV signal processor 47 (see col. 22, lines 51-54). Conversely, if it is judged that the data attribute of the read data is AV data, the disk reproduction drive 46 replaces the data with null data and transmits the null data to the AV signal processor 47 (see col. 22, lines 54-58).

After the AV signal processor 47 receives the data, the data is re-transmitted to the controller 49, and is then written in the recording section 44 by the controller 49 (see 22, lines 59-67).

Thus, as is evident from the above description, while Yamauchi judges whether digital data read from a recording medium is AV data or not, and prevents data from being copied on the recording section when the data is AV data, while recording the read data on the recording section when the data is not AV data, Applicants respectfully submit that there is absolutely no disclosure in Yamauchi regarding a bit rate of the digital data being inspected in order to determine whether digital data can be recorded on a recording medium.

In view of the foregoing, Applicant respectfully submits that Yamauchi does not disclose, suggest or otherwise render obvious the feature of data inspection means for receiving digital data, and for inspecting whether the bit rate of the digital data is higher than a maximum recording bit rate, thereby judging whether the digital data is recordable on a recording medium,

as recited in amended claim 12. Accordingly, Applicant submits that claim 12 is patentable over the cited prior art, an indication of which is kindly requested.

II. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 1-11 and 13 are allowed.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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